

Ordinance No. 2008.09 Town Code Chapter 10. Section 10-7 Particulate Control - 4/17/08
ORDINANCE NO. 08-09

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, AMENDING THE TOWN OF FOUNTAIN HILLS TOWN CODE, CHAPTER 10, HEALTH AND SANITATION, ARTICLE 10-7, DUST AND AIRBORNE PARTICULATE CONTROL, RELATING TO LEAF BLOWERS.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS as follows:

SECTION 1. That the Fountain Hills Town Code, Chapter 10, Health and Sanitation, Article 10-7, Dust and Airborne Particulate Control, is hereby amended as follows:

A.——It shall be unlawful for any person operating a leaf blower to blow landscape debris or dust into a public roadway.

B.——~~Leaf or air blowers used for landscape maintenance having a 50 cubic centimeter engine or larger are prohibited.~~

SECTION 2. That, if any provision or any portion of any provision of this Ordinance is for any reason held to be unconstitutional or otherwise unenforceable by a court of competent jurisdiction, such provision or portion thereof shall be deemed separate, distinct and independent of the remaining provisions of this Ordinance and shall be severed therefrom without affecting the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Mayor and Council of the Town of Fountain Hills, Arizona, April 17, 2008.

FOR THE TOWN OF FOUNTAIN HILLS: **ATTESTED TO:**

W. J. Nichols, Mayor

Bevelyn J. Bender, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:

Kathleen M. Zanon, Interim Town Manager

Andrew J. McGuire, Town Attorney